



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	WAGNER et al.	Examiner:	Unassigned
Serial No.:	10/804,476	Group Art Unit:	3762
Filed:	March 19, 2004	Docket No.:	GUID.628PA (03-526)

Title: ELECTRODE PLACEMENT DETERMINATION FOR SUBCUTANEOUS  
CARDIAC MONITORING AND THERAPY

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to:, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 30, 2004.

6/30/04

By:

Kelly S. Waltigney

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Forms 1449 (5 sheets) are brought to the attention of the Examiner.

This statement should be considered because it is submitted either within three months of the filing date or before the first Office Action of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Forms 1449.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Forms 1449 is provided.

Serial No. 10/804,476  
Filed: 03/19/2004  
Information Disclosure Statement

Please note that any notations or markings on the attached documents do not reflect particular relevance, or lack thereof, to the present application, nor were they necessarily made by anyone affiliated with the prosecution of the present application.

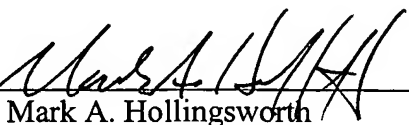
No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Forms 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

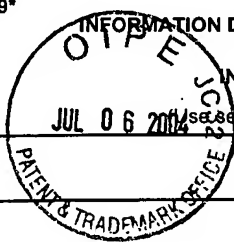
Respectfully submitted,

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Dated: June 30, 2004

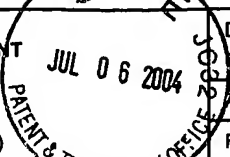
By:   
Mark A. Hollingsworth  
Reg. No. 38,491

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (attach several sheets if necessary)	Docket Number: GUID.628PA	Application Number: 10/804,476
	Applicant: WAGNER et al.	
	Filing Date: 3/19/2004	Group Art Unit: 3762



U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,622,046	09/16/03	Fraley et al.			
	6,615,083	09/02/03	Kupper			
	6,607,509	08/19/03	Bobroff et al.			
	6,564,106	05/13/03	Guck et al.			
	6,522,915	02/18/03	Ceballos et al.			
	6,512,940	01/28/03	Brabec et al.			
	6,487,443	11/26/02	Olson et al.			
	6,440,066	08/27/02	Bardy			
	6,438,410	08/20/02	Hsu et al.			
	6,398,728	06/04/02	Bardy			
	6,368,284	04/09/02	Bardy			
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	6,336,903	01/08/02	Bardy			
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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449*	INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: GUID.628PA	Application Number: 10/804,476
			Applicant: WAGNER et al.	Group Art Unit: 3762
			Filing Date: 3/19/2004	

	5,724,984	03/10/98	Arnold et al.			
	5,704,365	01/06/98	Albrecht et al.			
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	5,301,677	04/12/94	Hsung			

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FORM 1449\*

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(Use several sheets if necessary)

Docket Number:  
GUID.628PAApplication Number:  
10/804,476

Applicant: WAGNER et al.

Filing Date: 3/19/2004

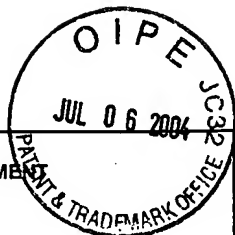
Group Art Unit: 3762

	5,300,106	04/05/94	Dahl et al.			
	5,292,338	03/08/94	Bardy			
	5,284,136	02/08/94	Hauck et al.			
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	2003/0004546	01/02/03	Casey			

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FQRM 1449\*

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(Use several sheets if necessary)

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Applicant: WAGNER *et al.*

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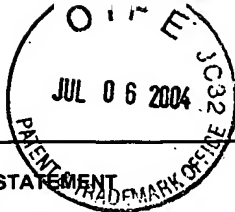
Group Art Unit: 3762

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	2002/0107549	08/08/02	Bardy et al.			
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FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	WO 92/20402	26 Nov. 1992	WO			YES
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
		Renee Hartz <i>et al.</i> , <i>New Approach to Defibrillator Insertion</i> , J. Thoracic Cardiovascular Surgery, Vol. 97, pp. 920-922 (1989).				
		Theofilos M. Kolettis, MD, PhD <i>et al.</i> , <i>Submammary Implantation of a Cardioverter-Defibrillator with a Nonthoractomy Lead System</i> , Am. Heart J., Vol. 126, pp. 1222-1223 (Nov. 1993)				
		John C. Schuder <i>et al.</i> , <i>Transthoracic Ventricular Defibrillation in the Dog with Truncated and Untruncated Exponential Stimuli</i> , IEEE Trans. On Bio-Medical Engin., Vol. BME-18, No. 6, pp. 410-415 (Nov. 1971).				
		John C. Schuder <i>et al.</i> , <i>Ventricular Defibrillation in the Dog Using Implanted and Partially Implanted Electrode Systems</i> , Am. J. of Cardiology, Vol. 33, pp. 243-247 (Feb. 1974).				
		John C. Schuder <i>et al.</i> , <i>Experimental Ventricular Defibrillation with an Automatic and Completely Implanted System</i> , Trans. Am. Soc. Artif. Int. Organs, Vol. 16, pp. 207-212 (1970).				
		Karel Smits & Marek Malik, <i>Defibrillation Threshold (DFT) Model of a Fully Subcutaneous ICD System</i> , Europace Supplements, Vol. 2, June 2001, page B83, column 778 (best copy available).				
		Stirbis <i>et al.</i> , <i>Optmizing the Shape of Implanted Artificial Pacemakers</i> , Kaunas Medical Institute. Translated from Meditsinskaya Tekhnika, No. 6, pp. 25-27 (1986).				
		Charles T. Leng <i>et al.</i> , <i>Lead Configuration for Defibrillator Implantation in a Patient with Congenital Heart Disease and a Mechanical Prosthetic Tricuspid Valve</i> , PACE, Vol. 24, No. 8, pp. 1291-1292 (Aug. 2001).				
		Park & Pollock, <i>Use of an Implantable Cardioverter Defibrillator in an Eight-Month-Old Infant with Ventricular Fibrillation Arising from a Myocardial Fibroma</i> , PACE, Vol. 22, No. 1, pp. 138-139 (Jan. 1999).				
		Rainer Gradaus M.D. <i>et al.</i> , <i>Nonthoracotomy Implantable Cardioverter Defibrillator Placement in Children: Use of a Subcutaneous Array Leads and Abdominally Placed Implantable Cardioverter Defibrillators in Children</i> , J. of Cardiovascular Electrophysiology, Vol. 12, No. 3, pp. 356-360 (March 2001)				

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